IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

WP(C).No. 17790 of 2007(P)

PETITIONER:

S.NAZEER, THUNDUVILA PUTHEN VEEDU,
PANAYARAKUNNU, OYOOR, REPRESENTED BY HIS
POWER OF ATTORNEY HOLDER M.SHAHUL HAMEED,
KUZHITHADATHIL, KALAVAYA MURI, VELINALLOOR VILLAGE
OYOOR.

BY ADV. SRI.K.KARTHIKEYA PANICKER
SMT.DAYA K. PANICKER

RESPONDENTS:

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1. THE VELINALLOOR GRAMA PANCHAYAT
REPRESENTED BY ITS SECRETARY, VELINALOOR,
OYOOR, KOLLAM.

2. THE PANCHAYAT COMMITTEE, VELINALLOOR
GRAMA PANCHAYAT , REPRESENTED BY ITS PRESIDENT,
VELINALLOOR, OYOOR, KOLLAM.

BY ADV. SRI.V.N.ACHUTHA KURUP (SR.)
SRI.B.S.SWATHY KUMAR
SRI.BINDU SREEKUMAR
SRI.K.G.RENGANATH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	TRUE COPY OF THE ORDER DTD. 9-4-03 IN W.A.NO.2936/02
EXT.P2	TRUE COPY OF THE POWER OF ATTORNEY DTD. 21-6-03
EXT.P3	TRUE COPY OF THE LETTER DTD. 5-6-04 ISSUED BY R1
EXT.P4	TRUE COPY OF THE RENT DEED DTD. 10-6-04
EXT.P5	TRUE COPY OF THE LETTER DTD. 26-6-06 ISSUED BY R1
EXT.P6	TRUE COPY OF THE LETTER DTD. 20-2-2007 ISSUED BY R1
EXT.P7	TRUE COPY OF THE LETTER DTD. NIL BEFORE R1
EXT.P8	TRUE COPY OF THE LETTER DTD. 5-6-07 ISSUED BY R1
EXT.P9	TRUE COPY OF THE RENT RECEIPT DTD. 4-6-07

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(C).No. 17790 OF 2007

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Dated this the 18th day of July, 2007

JUDGMENT

Petitioner has approached this court feeling aggrieved by Ext.P8 order issued by the Panchayat. According to the petitioner, he was allotted room through his power of attorney in 2003 and it is being extended through his power of attorney. Petitioner received Ext.P6 letter from the first respondent directing to renew the rent deed for another period of one year by paying 10% increase in the rent. It is the further case of the petitioner that as per Ext.P7, power of attorney of the petitioner appeared before the first respondent and submitted his written willingness for another one year. Ext.P8 was issued by which he is threatened of eviction.

2. I heard learned counsel for the respondent-Panchayat also. Counsel for the Panchayat submits that it is only that the power of attorney of the petitioner did not approach for the renewal that it was not granted and if the petitioner through his

power of attorney approaches the respondent-Panchayat and he is willing to abide by the Government order, the licence will be renewed in his favour. Recording the submission of the learned counsel for the Panchayat, the writ petition is disposed of as follows:

If the petitioner approaches the respondent-Panchayat through his power of attorney seeking renewal on the terms of the Government Order providing for increased rent, the respondent-Panchayat will grant renewal. In such circumstances, it is not necessary for me to quash Ext.P8.

(K.M.JOSEPH, JUDGE)

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